

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT JOSEPH LUMPKIN,

Plaintiff,

Case No. C13-25-JLR-JPD

V.

REPORT AND RECOMMENDATION

KING COUNTY REGIONAL JUSTICE
CENTER, *et al.*,

Defendants.

15 On January 7, 2013, plaintiff Robert Lumpkin submitted to this Court for filing a
16 proposed civil rights complaint together with an application for leave to proceed with this
17 action *in forma pauperis*. (See Dkt. No. 1.) However, plaintiff failed to submit with his
18 application for *in forma pauperis* status a certified copy of his prison trust account statement
19 showing transactions for the last six months. The Clerk therefore sent plaintiff a letter
20 advising him that he would have to pay the filing fee, or correct the deficiency in his application
21 requesting *in forma pauperis* status, on or before February 6, 2013, and that his failure to do so

01 could result in dismissal of this case. (Dkt. No. 3.) The Clerk also sent plaintiff a copy the
02 appropriate *in forma pauperis* application form. (See Dkt. No. 3.)

03 On January 14, 2013, the Clerk received a letter from plaintiff requesting that he be sent
04 another application for leave to proceed *in forma pauperis* and another form was mailed to
05 plaintiff the same date. However, that is the last communication received from plaintiff. To
06 date, plaintiff has neither paid the filing fee nor corrected the deficiency in his application for
07 leave to proceed *in forma pauperis*.

08 As plaintiff has had ample time to comply with the filing fee requirement, but has failed
09 to do so, this Court recommends that the instant action be dismissed without prejudice for
10 failure to prosecute. A proposed order accompanies this Report and Recommendation.

11 DATED this 2nd day of May, 2013.

12 
13 JAMES P. DONOHUE
14 United States Magistrate Judge

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